

07-24-03

DACB

Attorney Docket No.: LANT-P005

#7



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Patent Application

I hereby certify that this transmittal of the below described documents is being deposited with the United States Postal Service in an envelope bearing Express Mail Postage and an Express Mail label, with the below serial number, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.			
Express Mail Label No.:	EV291784748US	Name of Person Making the Deposit:	Anthony Chou
Date of Deposit:	7/22/03	Signature of the Person Making the Deposit:	<i>Anthony Chou</i>

Inventor(s): Adisak MAKKITTIKUL and Nader VIJEH

Serial No.: 09/879,276

Group Art Unit: 2185

Filed: 6/11/2001

Examiner:

Batch No:

Title: METHOD AND SYSTEM FOR CACHING DATA IN A NETWORK NODE

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Mail Stop: Office of Petitions
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION FOR WITHDRAWAL OF ABANDONMENT
 BASED ON FAILURE TO RECEIVE PTO COMMUNICATIONS
 PURSUANT TO PTO NOTICE IN 1156 OG 53
 AND 37 CFR 1.181(a)

1. Applicant petitions that the abandonment set forth in the notice by the Office on 7/1/2003 be withdrawn in the above captioned patent application based on failure to receive PTO Communications.

Namely, Applicant's undersigned representative did not receive the First Office Action mailed on 12/17/2002 (herein after "PTO communication").

2. Applicant hereby states that the above identified PTO communication was not received by the undersigned practitioner.

3. Applicant hereby states that a search of the file jacket and docket records was performed by the undersigned practitioner and this search indicates that the above identified PTO communication was not received by the practitioner. A copy of the docket records of this search is submitted herewith.

4. Submitted herewith is:

[X] A copy of the docket records where the non-received PTO communication would have been entered had it been received and docketed. The non-received PTO communication would have been entered in the docket records of case serial number 09/879,276 on or around December 2002 - January 2003. As shown in the submitted docket records, no such entry is present.

[X] A copy of the Notice of Abandonment.

07/25/2003 REMINDER1 00000025 09879276 130.00 DP
 01 FEB14CO

PETITION FEE

5. The petition fee (37 C.F.R. 1.17(h)) is paid as follows:

- [X] Check in the sum of \$130.00
- [X] The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085. A duplicate copy of this authorization is enclosed.

REQUEST FOR REFUND OF PETITION FEE

6. [X] As no defect exists in applicant's previous submission, a refund of the petition fee submitted herewith is respectfully requested.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

7. Acknowledgment of the active status of this application is respectfully requested.

Respectfully submitted,

Wagner, Murabito & Hao LLP

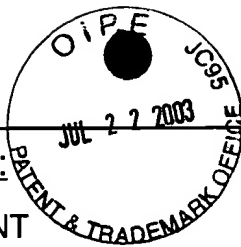
Date: July 22, 2003

By: 

James P. Hao
Reg. No. 36,398

WAGNER, MURABITO & HAO LLP

Two North Market Street, Third Floor
San Jose, California 95113
(408) 938-9060 Voice
(408) 938-9069 Facsimile

Case Identification:

Client: LANT
Client Ref: P005
Alt Ref:
Serial No.: 09/879,276
App Title: METHOD AND SYSTEM FOR CACHING DATA IN A NETWORK NODE

WMH Ref: LANT-P005
Location: JPH
Case Type US Regular
Patent No.:

Disclosure Title: METHOD AND SYSTEM FOR DATA TRANSFER THROUGH A BUFFER MEMORY ON A COMPUTER NETWORK

Case Status:

MJR Status Filed with USPTO
Pending Status:
Response Due Status: Notice of Abandonment Due
Disclosure Rec'd Date:

MJR Status Date: 6/11/2001
Pending Status Date:
Resp Due Status Date: 7/8/2003

Case Filed Date: 6/11/2001
Case Issued Date:
Client Counsel:
Client Product:

Persons Involved:

Resp Atty1 JPH
Resp Atty2
Resp Atty3

Inventor1 MEKKITTIKU;, A..
Inventor2 VIJEH, N.
Inventor3
Inventor4
Inventor5
Inventor6
Inventor7

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Notes1 Confirmation no. 3507...

Notes2

Notes3

* notes continued on next page

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Confirmation no. 3507...
Final draft r'cved 6/4/2001...
Final draft sent 6/6/2001...
New application trans. submitted to uspto 6/11/2001...
New application trans. pc r'cved 6/22/2001...
Notice to file corrected application papers r'cved 8/13/2001...
Filing receipt r'cved 8/13/2001...
Notice of recordation of assignment r'cved 9/4/2001...
Response to file corrected application papers trans. submitted to uspto
9/17/2001...
Response to file corrected application papers trans. pc r'cved 10/2/2001...
Updated filing receipt r'cved 1/7/2002...
Notice of abandonment r'cved 7/8/03...



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,276	06/11/2001	Adisak Makkittikul	LANT-P005	3507

7590 07/01/2003

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113



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JUL 08 2003

WMH

EXAMINER

TAKEGUCHI, KATHY K

ART UNIT PAPER NUMBER

2187

DATE MAILED: 07/01/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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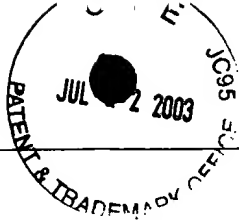
JUL 29 2003

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ENTD



DOCKETED
Date: 7-8-03
Initials: -



Notice of Abandonment

Application No.

09/879,276

Examiner

Kathy Takeguchi

Applicant(s)

MAKKITTIKUL ET AL.

Art Unit

2187

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

JUL 29 2003

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 17 December 2002.
(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
(d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
(b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
(c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
(a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
(b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Donald Sparks
Donald Sparks
Supervisory Patent Examiner
Technology Center 2100

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Examiner-Initiated Interview Summary

Application No.

09/879,276

Applicant(s)

MAKKITTIKUL ET AL.

Examiner

Kathy Takeguchi

Art Unit

2187

All Participants:

(1) Kathy Takeguchi.(2) James P. Hao (Registration Number 36,398).

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 27 June 2003Time: 1:30pm (Eastern Time)

Type of Interview:

☒ Telephonic☐ Video Conference☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

Prior art documents discussed:

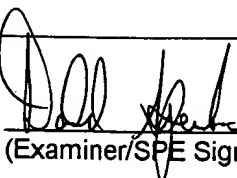
Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

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Continuation of Substance of Interview including description of the general nature of what was discussed:

Examiner initiated an interview with James Hao to inquire about a failure to respond to a first office action mailed on 12/17/02. James Hao stated that his office did not receive a first office action regarding application 09/879,276. Examiner verified the mailing address and verified that no change of address forms were submitted to the United States Patent and Trademark Office. Examiner notified James Hao that a Notice of Abandonment will be mailed and reminded James Hao of the procedure set forth in MPEP 711.03(c).

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